

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

BRIAN MCDONOUGH, LAURIE J.  
MURPHY and GELA DEMISEW, on behalf  
of themselves and all other similarly situated,

Plaintiffs,

v.

BAYER HEALTHCARE LLC,

Defendant.

Civil Action No. 10-0442-WJM-MF

**STIPULATION AND ORDER OF  
DISMISSAL WITH PREJUDICE**

**IT IS HEREBY STIPULATED AND AGREED**, by and among Plaintiffs Brian McDonough, Laurie J. Murphy and Gela Demisew, and Defendant Bayer HealthCare LLC, through their respective counsel, that all claims asserted in the Second Amended Complaint are hereby dismissed with prejudice and without costs. To the extent that Plaintiffs' claims in this matter purport to be filed on behalf of a putative class, the claims of the putative class are hereby dismissed without prejudice.

Gary S. Graifman  
**KANTROWITZ, GOLDHAMER & GRAIFMAN**  
210 Summit Avenue  
Montvale, New Jersey 07645  
(201) 391-7000

By: s/ Gary S. Graifman

Lorna A. Dotro  
**COUGHLIN DUFFY LLP**  
360 Mount Kemble Avenue  
Morristown, New Jersey 07962  
(973) 631-6016

By: s/ Lorna A. Dotro

Michael S. Green  
**GREEN & ASSOCIATES, LLC**  
522 Route 18, P.O. Box 428  
East Brunswick, New Jersey 08816  
(732) 390-0480

By: s/ Michael S. Green

*Attorney for Defendant  
Bayer HealthCare LLC*

Paul Diamond  
**DIAMOND LAW OFFICE, LLC**  
1605 John Street, Suite 102  
Fort Lee, New Jersey 07024  
(201) 242-1110

By: s/ Paul Diamond

Jeffrey W. Herrmann  
**COHN LIFLAND PEARLMAN HERRMANN &  
KNOPF LLP**  
Park 80 Plaza West-One  
Saddle Brook, New Jersey 07663  
(201) 845-9600

By: s/ Jeffrey W. Herrmann

*Attorneys for Plaintiffs  
Brian McDonough, Laurie J. Murphy and Gela  
Demisew*

**SO ORDERED**

Dated:

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William J. Martini, U.S.D.J.